

**Draft Language (provided by DHHS):**

Suggestion for amending Title 20-A, section 5205, subsection 3-A  
(law on school enrollment for children placed by DHHS in foster care)  
to extend it to children placed with kin to protect the child's safety and well-being

**Sec.1 20-A MRSA § 5205,sub-§3-A**

**3-A. Students placed by the Department of Health and Human Services.**

Notwithstanding subsection 3, a student who is placed by the Department of Health and Human Services either through formal foster care or through a Safety Plan with an adult who is not the child's parent or legal guardian in accordance with the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110-351, 122 Stat. 3949 is considered a resident of either the school administrative unit where the student resides during the placement or the school administrative unit where the student resided prior to the placement based on the best interest of the student. The Department of Health and Human Services, in consultation with the department and the school administrative units, shall determine which of the 2 units is appropriate for children in formal foster care and notify that unit in writing of its determination. The school administrative unit that provides public education for the student shall count the student as a resident student for subsidy purposes. The Department of Education and school administrative units shall recognize a Power of Attorney or guardianship granted to a relative in order to register a child placed with relatives in the school administrative unit where the relatives reside.